

COMMONWEALTH OF VIRGINIA  
BOARD OF EDUCATION  
RICHMOND, VIRGINIA

**MINUTES**

May 25, 2005

The Board of Education and the Board of Career and Technical Education met at the James Monroe State Office Building, Conference Rooms D and E, Richmond, with the following members present:

Mr. Thomas A. Jackson, President  
Dr. Mark E. Emblidge, Vice President  
Mrs. Isis M. Castro  
Mr. David L. Johnson  
Mr. Thomas G. Johnson, Jr.

Dr. Gary L. Jones  
Mr. Andrew J. Rotherham  
Mrs. Eleanor B. Saslaw  
Dr. Ella P. Ward

Dr. Jo Lynne DeMary,  
Superintendent of Public Instruction

Mr. Jackson, president, presided and called the meeting to order at 9 a.m.

***MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE***

Mr. Jackson asked for a moment of silence and led in the Pledge of Allegiance.

***APPROVAL OF MINUTES***

Mrs. Castro made a motion to approve the minutes of the April 20-21, 2005, meeting of the Board. The motion was seconded by Mrs. Saslaw and carried unanimously. Copies of the minutes had been distributed to all members of the Board of Education.

***PUBLIC COMMENT***

The following persons spoke during public comment:

Dr. Patrick Konopniki  
Linda Dorr  
Pablo Cuevas  
Johnny Case

The following persons submitted written comments:

De' Shauna Thornton  
Mrs. Kenneth Lancaster

***ACTION/DISCUSSION ITEMS******First Review of a Request for Approval of an Innovative Program Involving Opening Prior to Labor Day from Alexandria City School Board***

Mrs. Anne Wescott, assistant superintendent, policy and communications, presented this item. Mrs. Wescott said that the *Regulations Establishing Standards for Accrediting Public Schools in Virginia*, at 8 VAC 20-131-290, permit local school boards to seek approval to implement experimental or innovative programs that do not conform to accreditation standards or other regulations promulgated by the Board and allow waivers of some Board regulations.

Mrs. Wescott said that Section 22.1-79.1 of the Code of Virginia prohibits local school boards from adopting school calendars that require schools to open prior to Labor Day unless a waiver is granted by the Board for "good cause." The conditions under which the Board may grant such waivers are outlined in the Code. Part 3 of Section 22.1-79.1, which permits the Board to approve a waiver from the requirements of this Code provision if the division receives approval of an experimental or innovative program when:

*A school division is providing its students, in the school year for which the waiver is sought, with an experimental or innovative program which requires an earlier opening date than that established in subsection A of this section and which has been approved by the Department of Education pursuant to the regulations of the Board of Education establishing standards for accrediting public schools. However, any waiver or extension of the school year granted by the Board of Education pursuant to this subdivision or its standards for accrediting public schools for such an experimental or innovative program shall only apply to the opening date for those schools where such experimental or innovative programs are offered generally to the student body of the school. For the purposes of this subdivision, experimental or innovative programs shall include instructional programs which are offered on a year-round basis by the school division in one or more of its elementary or middle or high schools.*

Mrs. Wescott introduced Ms. Rebecca Perry, division superintendent of Alexandria City Public Schools, to the Board of Education. Ms. Perry requested the Board's approval of a modified school calendar for Mount Vernon Elementary School. Ms. Perry said that approximately 45 percent of Mount Vernon students are in the English as a Second Language (ESL) Program, 69 percent are eligible for free/reduced lunch, and 50 percent are enrolled in the Dual Language Program. Ms. Perry said that the school division's goal is to maximize achievement for all students and believes the modified school calendar would provide help for those students who need it most and would minimize learning loss for all students. Parents who do not want their child to attend this school with its modified calendar may chose a school with a traditional school calendar.

Dr. Ward made a motion to waive first review and approve the modified school calendar as proposed. The motion was seconded by Mr. Rotherham.

**First Review of a Recommendation to Approve a Teacher Education Program at Christopher Newport University**

Dr. Thomas Elliott, assistant superintendent for teacher education and professional licensure, presented this item. Dr. Elliott said that Christopher Newport University (CNU) has been approved by the Board of Education to offer programs for the preparation of school personnel since 1980. During the 2002-2003 academic year, the CNU Board of Visitors voted to discontinue certain professional preparation programs, including undergraduate teacher preparation.

In April 2003, the Department of Education received a proposal from CNU to establish a new five-year teacher preparation program. The proposed program would allow students to graduate with a bachelor's degree in the liberal arts and a master's degree in teaching. Additionally, the proposal established a partnership agreement with teachers and administrators from the Newport News public schools and CNU faculty in the department of liberal arts. At the May 21, 2003, meeting of the Newport News school board, a partnership agreement between CNU and the Newport News public schools was adopted. On July 23, 2003, the Board of Education approved the new five-year teacher preparation program as a two-year pilot.

The two-year pilot program concludes May 2005. A review of the Christopher Newport University teacher preparation program was conducted April 3-6, 2005. This review was conducted in accordance with the standards and procedures outlined in the *Regulations Governing Approved Programs for Virginia Institutions of Higher Education*, effective July 1, 2001. The regulations governing approved programs set forth 20 standards in the following four categories: Program Design, Faculty, Candidates, and Program Operation/Accountability.

Dr. Elliott introduced Dr. Marsha Sprague, director of teacher education at Christopher Newport University. Dr. Sprague reported on the achievements of the teacher education program at Christopher Newport University during the last two years. Dr. Sprague said students must have a 3.0 GPA to enter the program and maintain a 3.0 GPA and pass Praxis I to exit the program.

Dr. Emblidge made a motion to waive first review and approve the teacher preparation program at Christopher Newport University with stipulation that a report of corrective action is submitted by the university within 90 days. The motion was seconded by Mr. Rotherham and carried unanimously.

**First Review of Request to the U. S. Department of Education for Additional Flexibility in the Inclusion of the Performance of Students with Disabilities in the Calculation of Adequate Yearly Progress**

Mrs. Shelly Loving-Ryder, assistant superintendent for assessment and reporting and Mr. Douglas Cox, assistant superintendent for special education and student services, presented this item.

Mr. Cox said that USED has announced plans to increase flexibility with regard to the inclusion of students with disabilities in calculating adequate yearly progress (AYP). Secretary of Education Margaret Spellings, noted in a letter that “In addition to students with the most significant cognitive disabilities, research now indicates that there is another group of students with disabilities who can make significant progress but may not reach grade-level achievement standards within the same time frame as other students. This research shows that, even after receiving the best-designed instructional interventions from highly trained instructors, a group of students with academic disabilities, comprising approximately two percent of the school-age population, is not able to achieve at grade level. They are able to make significant progress toward grade-level standards when provided high-quality instructional interventions and measured with appropriate assessment instruments.”

Mrs. Loving-Ryder said that Virginia meets the criteria required to take advantage of the interim policy. She said that much of the information needed for the worksheet is already on file at USED through various reports. Additional information may be submitted if necessary.

Dr. Emblidge made a motion to waive first review and authorize the Department of Education to submit the worksheet and seek authorization to apply the proxy to the calculation of AYP for 2005-2006 and, if determined eligible by the USED, to develop modified achievement standards in accordance with federal requirements, and to request an extension to the 1.3% cap approved last year for this year. The motion was seconded by Mrs. Castro and carried unanimously.

**First Review of Timeline for the Review and Approval of the Revised Fine Arts Standards of Learning**

Dr. Linda Wallinger, assistant superintendent for instruction, presented this item. Dr. Wallinger presented the proposed schedule for review of the Fine Arts Standards of Learning to the Board of Education. Dr. Wallinger said that the fine arts standards are scheduled for revision in 2006.

Mr. David Johnson made a motion to waive first review and approve the timeline for the Fine Arts Standards of Learning. The motion was seconded by Dr. Ward and carried unanimously.

**First Review of Recommended Adjustments to Cut Scores for the Reading Subtest of the Stanford English Language Proficiency Test When Used as a Substitute for the Standards of Learning Grade 3 English Test and the Grade 5 and 8 Standards of Learning English: Reading Tests**

This item was removed from the agenda.

**First Review of a Recommendation from the Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments**

Mr. Jackson presented this item. Mr. Jackson said that the Board of Education appointed a special committee to study and make recommendations relative to teacher licensure assessment. The committee consisted of representation from the Board of Education, Virginia General Assembly, Advisory Board on Teacher Education and Licensure, the Virginia Congress of Parents and Teachers, the Virginia Education Association, the State Council of Higher Education in Virginia, institutions of higher education with approved teacher education programs, school division superintendents, school principals, and school division human resources directors.

During the meetings, the committee received presentations on national and state perspectives on teacher education and licensure assessments and engaged in discussions with presenters from other states. The presenters from other states included Jane P. Norwood, Vice-Chair, North Carolina Board of Education; Dr. Carol Gilbert, Executive Director for Educator Preparation and Quality, Massachusetts Department of Education; Dr. Marilyn Troyer, Associate Superintendent for the Teaching Profession, Ohio Department of Education; and Dr. Louise A. Tanney, Coordinator of Teacher and Principal Assessment, Division of Certification and Accreditation, Maryland State Department of Education.

The committee also heard national perspectives on assessments from the following individuals: Dr. Charles Coble, vice-president, policy studies and programs, education commission of the states, Denver, Colorado; Kate Walsh, president of the national council on teacher quality, Washington, DC; Dr. Jane Hannaway, education policy urban Institute for Economic and Social Policy Research, Washington, DC; and Dr. Randy Thompson, vice-president of the American Board for Certification of Teacher Excellence (ABOTE), Washington, DC.

Mr. Jackson said that the Praxis I Test will continue to be the entry-level assessment for teacher preparation in Virginia. During the May 10, 2005, meeting the committee unanimously approved the following recommendation and implementation requirements to be submitted to the Board of Education for review and action:

The *Special Committee of the Board of Education to Study and Make Recommendations Relative to Teacher Licensure Assessments* recommended that the Board of Education prescribe the following professional teacher's examinations for initial licensure in Virginia: (1) Literacy and Communication Skills Assessment; (2) Praxis II (content assessment); and (3) if applicable, the Virginia Reading Assessment.

The implementation of the prescribed professional teacher's examinations would include the following guidelines:

1. The assessments [Literacy and Communication Skills Assessment, Praxis II, and the Virginia Reading Assessment (VRA), if applicable] will be required for all individuals seeking initial licensure in Virginia except individuals who have completed a minimum of two years of full-time, successful teaching experience with an effective license from another state at the time of application. The proposed effective date for the implementation of the licensure assessments is January 1, 2006, depending on the timeframe to develop the Literacy and Communication Skills assessment.
2. The Literacy and Communication Skills Assessment will be composed of two areas—reading and writing. The test will measure communication and literacy skills necessary to teach and communicate effectively with parents and others in the education community. [Individuals will be asked to demonstrate comprehension and analysis of readings; development of ideas in essay form on specific topics, outlining and summarizing; interpreting tables and graphs; mastery of grammar, and mechanics; vocabulary; and writing.]
3. Requirements for admission into approved programs, including entry assessments, will be set forth in the *Regulations Governing the Approved Programs for Virginia Institutions of Higher Education*.
4. Individuals otherwise eligible for licensure who have not completed the assessment requirements may be issued a provisional license not to exceed one full school year. (This guideline was approved by the special committee by a vote of 7 to 5.)
5. Individuals seeking the Pupil Personnel Services License and the Technical Professional License will not be subject to the assessments. *Regulations Governing the Approved Programs for Virginia Institutions of Higher Education* and the *Regulations Governing the Licensure of School Personnel* will set forth the communication and literacy competencies for these license types.

Dr. Ward made a motion to accept the recommendation and implementation requirements for first review. The motion was seconded by Mrs. Saslaw and carried



unanimously. Mr. Jackson announced that the recommendation will be presented for final adoption at a later meeting.

The Board members applauded the work of the committee and staff at Department of Education. Mr. Jackson especially recognized the Teacher Education and Professional Licensure staff.

**Report on Status of Proposed Waiver Amendments to Virginia's Consolidated State Application Accountability Plan Required in the No Child Left Behind Act of 2001**

Dr. Patricia Wright, deputy superintendent, presented this item. Dr. Wright updated the Board on activity of the waiver requests since the Board's April meeting.

The *No Child Left Behind Act of 2001* (NCLB), which is a reauthorization of the Elementary and Secondary Education Act (ESEA), requires all state educational agencies (SEA) to submit for approval to the United States Department of Education (USED) individual program applications or a consolidated state application. A major component of the consolidated application is Virginia's Consolidated State Application Accountability Workbook that describes a single statewide accountability system for the commonwealth. The accountability workbook that describes the policies and procedures that were used to determine Adequate Yearly Progress (AYP) ratings for the 2003-2004 school year are described in the amended workbook dated May 26, 2004.

Virginia's proposed waiver requests are categorized into five major areas:

- 1) Application of the "other academic indicator" (in addition to performance and participation on the reading and mathematics tests) that is used to make AYP determinations when safe harbor is not invoked,
- (2) How states determine if a school or school division makes AYP and enters improvement status,
- (3) Use of test scores from multiple administrations,
- (4) Testing and AYP calculation policies for limited English proficient students, and
- (5) Testing and AYP calculation policies for students with disabilities.

On January 28, 2005, President Jackson, Superintendent of Public Instruction Jo Lynne DeMary, and Deputy Superintendent Patricia Wright met with Assistant Secretary of Education Ray Simon and the new Secretary of Education's Chief of Staff David Dunn to discuss Virginia's waiver requests. During that meeting, USED officials described Virginia's requests in one of three categories: policy, regulatory, or statute. On February 1, 2005, USED sent a letter to President Jackson indicating the "graduation rate" amendment to be acceptable and the "new minimum n" amendment to be acceptable with modifications.

Dr. Jones made a motion to give authority to the Board president to negotiate with USED as necessary on behalf of the Board. The motion was seconded by Dr. Ward and carried unanimously.

Mr. Jackson recognized Mr. Jay R. Moyer, USDOE Deputy Secretary's Regional Representative.

### ***BOARD DINNER SESSION***

The Board met for dinner at the Crowne Plaza Hotel on May 24, 2005. Present were Mr. Jackson, Mrs. Castro, Dr. Emblidge, Mr. David Johnson, Mr. Thomas Johnson, Dr. Jones, Mr. Rotherham, Mrs. Saslaw, and Dr. Ward. A brief discussion took place about general Board business. No votes were taken, and the dinner meeting ended at 8:30 p.m.

### ***ADJOURNMENT***

There being no further business of the Board of Education and Board of Career and Technical Education, Mr. Jackson adjourned the meeting at 11:38 a.m.

### ***Public Hearing on Proposed Computer Technology Standards of Learning for Grades K-12***

The following persons spoke during the public hearing:

Bill Johnson  
Lee Welch  
Roxanne Grossman

The public hearing adjourned at 11:52 a.m.

---

President

---

Secretary